

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 13-10200-GAO
)	
DZHOKHAR TSARNAEV)	

NOTICE OF ADDITIONAL AUTHORITY
RE: DEFENDANT’S SECOND MOTION FOR CHANGE OF VENUE

Defendant, Dzhokhar Tsarnaev, by and through counsel, respectfully files this Notice of Additional Authority in support of his Second Motion for Change of Venue.

On December 19, 2014, the United States District Court for the Eastern District of California (Fresno) granted a motion for change of venue in *United States v. Sablan*, 08-CR-00259-PMP. A copy of the court’s order is appended to this notice.

In 2008, Sablan and another defendant were indicted for the murder of correctional officer at the United States Penitentiary in Atwater, California. The Co-defendant was permitted to plead guilty pursuant to a plea agreement allowing him to avoid the death penalty, and was sentenced to a term of life in prison. Sablan’s trial was scheduled for 2015. Despite the gap of more than seven years between indictment and scheduled trial, the court granted Sablan’s motion to change venue, *inter alia*, due to “significant media coverage throughout the Fresno Division area from which the jury in this case would be drawn,” the fact that a local highway was named in honor of the murdered correctional officer, and because “the Eastern District of California contains the Nation’s highest concentration of prisons, detention facilities, and the private and public administrative offices that support them.” *See Sablan*, slip op. at 3. The concerns

described in Sablan pale in comparison to the relentless press coverage and extensive community impact in this case.

Respectfully submitted,

DZHOKHAR TSARNAEV
by his attorneys

/s/ William W. Fick
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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 22, 2014.

/s/ William W. Fick